

1  
2  
3  
4  
5  
6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 ANDREW BART MONTENEGRO,

12 Defendant.

2:20-CR-022-JAD-VCF

**Final Order of Forfeiture**

13 The United States District Court for the District of Nevada entered a Preliminary  
14 Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2) and 18 U.S.C. §  
15 924(d)(1) with 28 U.S.C. § 2461(c) based upon the plea of guilty by Andrew Bart  
16 Montenegro to the criminal offense, forfeiting the property set forth in the Memorandum in  
17 Support of Guilty Plea and the Forfeiture Allegation of the Criminal Indictment and shown  
18 by the United States to have the requisite nexus to the offense to which Andrew Bart  
19 Montenegro pled guilty. Criminal Indictment, ECF No. 1; Memorandum in Support of  
20 Guilty Plea, ECF No. 37; Change of Plea, ECF No. 41; Preliminary Order of Forfeiture,  
21 ECF No. 42.

22 This Court finds that on the government's motion, the Court may at any time enter  
23 an order of forfeiture or amend an existing order of forfeiture to include subsequently  
24 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and  
25 32.2(b)(2)(C).

26 The government served every person reasonably identified as a potential claimant in  
27 lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.  
28 Rule G(4)(a)(i)(A).

1 This Court finds no petition was filed herein by or on behalf of any person or entity  
2 and the time for filing such petitions and claims has expired.

3 This Court finds no petitions are pending regarding the property named herein and  
4 the time has expired for presenting such petitions.


5 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that  
6 all possessory rights, ownership rights, and all rights, titles, and interests in the property  
7 hereinafter described are condemned, forfeited, and vested in the United States pursuant to  
8 Fed. R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C. §  
9 924(d)(1) with 28 U.S.C. § 2461(c); and 21 U.S.C. § 853(n)(7) and shall be disposed of  
10 according to law:

- 11 1. Smith and Wesson SD40, .40 caliber pistol, bearing serial number FXE8283;  
12 and
- 13 2. any and all compatible ammunition  
14 (all of which constitutes property).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all  
16 forfeited funds, including but not limited to, currency, currency equivalents, certificates of  
17 deposit, as well as any income derived as a result of the government's management of any  
18 property forfeited herein, and the proceeds from the sale of any forfeited property shall be  
19 disposed of according to law.

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send  
21 copies of this Order to all counsel of record.

22 DATED: May 17, 2021.

23  
24  
25   
26 JENNIFER A. DORSEY  
27 UNITED STATES DISTRICT JUDGE  
28